

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
S/S Anita Road 25' W		
Centerline of Whisperwood Court	*	DEPUTY ZONING COMMISSIONER
3 rd Election District		
2 nd Councilmanic District	*	OF BALTIMORE COUNTY
(8204 Anita Road)		
	*	CASE NO. 01-144-A
Burton and Betty Rosen		
Petitioners	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property Burton and Betty Rosen. The variance request is for property located at 8204 Anita Road in the Rockland subdivision of Baltimore County. The Petitioners herein seek a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing single-family dwelling with addition to have a corner side street setback of 42 ft. in lieu of the required 50 ft. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts

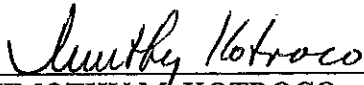
Date 10/25/00
 By R. Rosen

that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 25th day of October, 2000, that a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing single-family dwelling with addition to have a corner side street setback of 42 ft. in lieu of the required 50 ft., be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

CASE RECEIVED FOR FILING
Date 10/25/00
By T. P. Jones



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

October 25, 2000

Mr. & Mrs. Burton Rosen
8204 Anita Road
Baltimore, Maryland 21208

Re: Petition for Administrative Variance
Case No. 01-144-A
Property: 8204 Anita Road

Dear Mr. & Mrs. Rosen:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure



Census 2000



For You, For Baltimore County



Census 2000



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 8204 Anita Road
Address
Baltimore Maryland 21208
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

We have reached retirement age and find our single-story home ideally suited to our lifestyle and our needs. It is generally accessible and laid out in a way that will work for us as we become *older* residents. We have resided here for more than thirty years; however, if we are to continue to live here for the foreseeable future, we require more space in our bedroom area, which is located on the southeastern side of our property. In order to construct an addition as it has been designed, and as it suits our needs, we must encroach into the 50' required side yard setback.

Our property is screened with trees, and the house is on a corner, with the closest property that has a full view of the proposed addition (9 Whisperwood Court) being across the street. The owner of that property has no objection to our plan and has given us a letter stating his approval.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Burton Rosen
Signature
BURTON ROSEN
Name - Type or Print

Betty E. Rosen
Signature
BETTY E. ROSEN
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 29th day of August, 2000, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Burton Rosen and Betty E. Rosen
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

8/29/2000
Date

Sharon Lee Hamilton
Notary Public

My Commission Expires SHARON LEE HAMILTON
NOTARY PUBLIC, STATE OF MARYLAND
My Commission Expires January 1, 2001



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 8204 Anita Road
which is presently zoned DR 1

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 B02.3.B (B.C.Z.R.)

TO PERMIT AN EXISTING SINGLE FAMILY DWELLING
WITH ADDITION TO HAVE A CORNER SIDE STREET
SETBACK OF 42' IN LIEU OF THE REQUIRED 50'.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____

Signature _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____

Signature _____

Company _____

Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Legal Owner(s):

BURTON ROSEN
Name - Type or Print _____

Burton Rosen
Signature _____

BETTY E. ROSEN
Name - Type or Print _____

Betty E. Rosen
Signature _____

410. 484-0988
Address _____ Telephone No. _____

City _____ State _____ Zip Code _____

Representative to be Contacted:

SHARON MILLER
Name _____

223 E. BALTO. ST. 410. 752-7438
Address _____ Telephone No. _____

BALTO. MD 21202
City _____ State _____ Zip Code _____

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____ that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

Reviewed By CTM Date 9/28/00

Estimated Posting Date 10/8/00

CASE NO. 2000-00144
REU 9/15/98

Zoning Description for 8204 Anita Road (Tax Account #03-18-052990)

BEGINNING AT A POINT ON THE SOUTH SIDE OF ANITA ROAD,
WHICH IS 50' WIDE AT THE DISTANCE OF 25' WEST OF THE
CENTERLINE OF THE NEAREST IMPROVED INTERSECTING
STREET, WHISPERWOOD CT., WHICH IS 50' WIDE.

Being lot #15, Block B, in the subdivision of Halcyon, as recorded in Baltimore County Plat
Book #W.J.R. 28, Folio 2, containing 43,124 sq.ft., also known as 8204 Anita Road, and located
in the 3rd election district, 10th precinct, 11th legislative district, and 2nd councilmanic district.

01-144-A

#144

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 26869

DATE 9/28/2000 ACCOUNT Revenue

AMOUNT \$ 50.00

RECEIVED FROM: ANNUAL CONTRIBUTION

FOR: NO VALUE

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

DATE	TIME	RECEIVED	AMOUNT	REMARKS
9/28/2000	11:34:10	CASHIER	50.00	ANNUAL CONTRIBUTION

Total 50.00
to be paid by
Baltimore County, Maryland

#144
01-144-A
CASHIER'S VALIDATION

01-144-A

CERTIFICATE OF POSTING

**RE: CASE # 01-144-A
PETITIONER/DEVELOPER
(Rosen)
DATE OF Closing
(10-23-00)**

**BALTIMORE COUNTY DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT
COUNTY OFFICE BUILDING, ROOM 111
111 WEST CHESAPEAKE AVE.
TOWSON, MARYLAND 21204**

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

**THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY THAT THE NECESSARY
SIGNS(S) REQUIRED BY LAW WERE POSTED CONSPICUOUSLY ON THE PROPERTY LOCATED AT**

8204 Anita Road Baltimore, Maryland 21208_____

THE SIGN(S) WERE POSTED ON _____ 10-6-00 _____
(MONTH, DAY, YEAR)

SINCERELY,

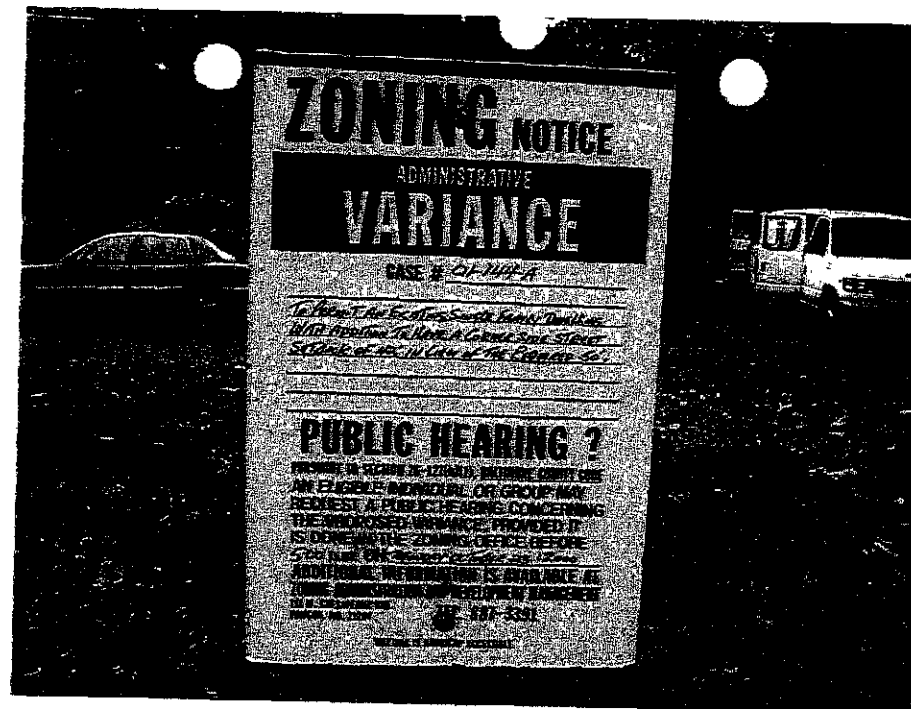

(SIGNATURE OF SIGN POSTER & DATE)

_____ THOMAS P. OGLE SR. _____

_____ 325 NICHOLSON ROAD _____

_____ BALTIMORE, MARYLAND 21221 _____

_____ 410-687-8405 _____
(TELEPHONE NUMBER)



8402 Anita Road

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: * 01-144-A

Petitioner: Burton & Betty Rosen

Address or Location: 8204 Anita Road Balto., MD 21208

PLEASE FORWARD ADVERTISING BILL TO:

Name: Mr. & Mrs. Burton Rosen

Address: 8204 Anita Road

Baltimore, MD 21208

Telephone Number: 410.484.0988

Revised 2/20/98 - SCJ

01-144-A

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATESCase Number 01- 144 -A Address 8204 ANITA ROADContact Person: LYND T. MOXLEY Phone Number: 410-887-3391
Planner, Please Print Your NameFiling Date: 9/28/00 Posting Date: 10/8/00 Closing Date: 10/23/00

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only**USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT**Case Number 01- 144 -A Address 8204 ANITA ROAD
Petitioner's Name ROSEN Telephone 410 484 0988Posting Date: 10/8/00 Closing Date: 10/23/00Wording for Sign: To Permit AN EXISTING SINGLE FAMILY DWELLING
WITH ADDITION TO HAVE A CORNER SIDE STREET
SETBACK OF 42' IN LIEU OF THE REQUIRED 50'**01-144-A**

WCR - Revised 6/28/00

I HAVE RECEIVED POSTING INFO



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 23, 2000

Betty E. & Burton Rosen
8204 Anita Road
Baltimore, MD 21208

Dear Mr. & Mrs. Burton Rosen:

RE: Case Number: 01-144-A, 8204 Anita Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on September 28, 2000.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

C: Sharon Miller, 823 E. Baltimore Street, Baltimore 21202
People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: November 9, 2000

FROM: *RWB* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For October 16, 2000
Item Nos. 118, 136, 137, 138, 140, 141,
142, 143, 144, and 145

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

October 12, 2000

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF OCTOBER 10, 2000

Item No.: See Below

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

118, 137, 140, 141, 142, 144, 145, 146, 147,

REVIEWER: LIEUTENANT HERB TAYLOR, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at www.co.ba.md.us

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBS*

DATE: October 19, 2000

SUBJECT: Zoning Petitions
Zoning Advisory Committee Meeting of October 10, 2000

DEPRM has no comments for the following zoning petitions:

Item #	Address
118	9616 Reisterstown Road
136	1501 Francke Avenue
137	7659 Old Battle Grove Road
138	6300 Baltimore National Pike
139	8335 Philadelphia Road
140	1401 Broadway Road
141	15 Bright Sky Court
142	14400 Green Road
144	8204 Anita Road
145	404 Kauffman Road

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits and
Development Management

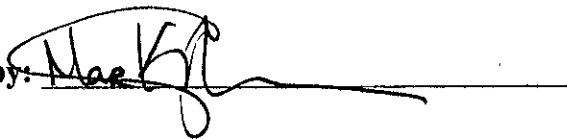
DATE: October 13, 2000

FROM: Arnold F. 'Pat' Keller, III
Director, Office of Planning

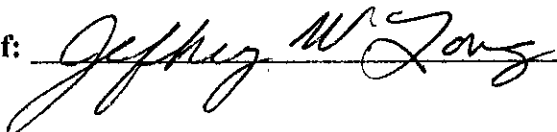
SUBJECT: Zoning Advisory Petition(s): Case(s) 01-132, 01-133, 01-142 and 01-144.

The Office of Planning has reviewed the above referenced case and has no comments to offer. For any further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:



Section Chief:



AFK/JL:MAC



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 10.11.00

Ms. Ronnay Jackson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 144 LTM

Dear Ms. Jackson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

in Kenneth A. McDonald Jr., Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Dr. Sheldon Silverman
9 Whisperwood Court
Baltimore, Maryland 21208

September 8, 2000

Zoning Review
Department of Permits & Development Management
111 West Chesapeake Avenue, Room 111
Towson, Maryland 21204

Re: Rosen Addition
8204 Anita Road
Baltimore, MD 21208

Dear Sir or Madam:

I am writing in support of my neighbor's petition for a zoning variance. My property is situated directly opposite the proposed addition to 8204 Anita Road. I am aware of the size of the proposed addition and that it will encroach into the required setback, and I have no objection.

Yours truly,

A handwritten signature in cursive script that reads "Sheldon Silverman".

Sheldon Silverman

01-144-A

144

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

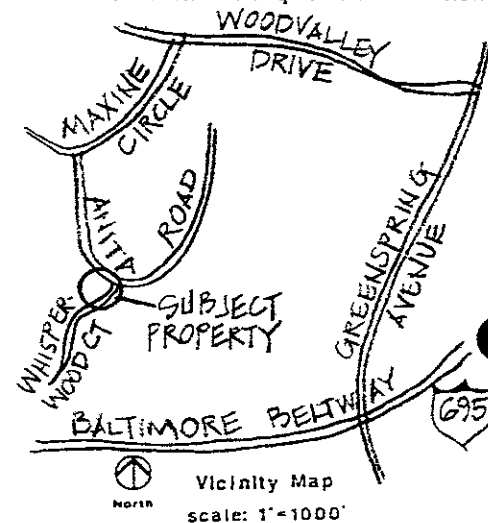
PROPERTY ADDRESS: 8204 ANITA ROAD

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: "HALCYON"

plat WJR 28, folio # 2, lot # 15, section # 1

OWNER: BURTON & BETTY ROSEN



LOCATION INFORMATION

Election District: #3
 Councilmanic District: #2
 1"=200' scale map #: NW 10-D
 Zoning: D.R.1
 Lot size: 0.99 43,124
 acreage square feet

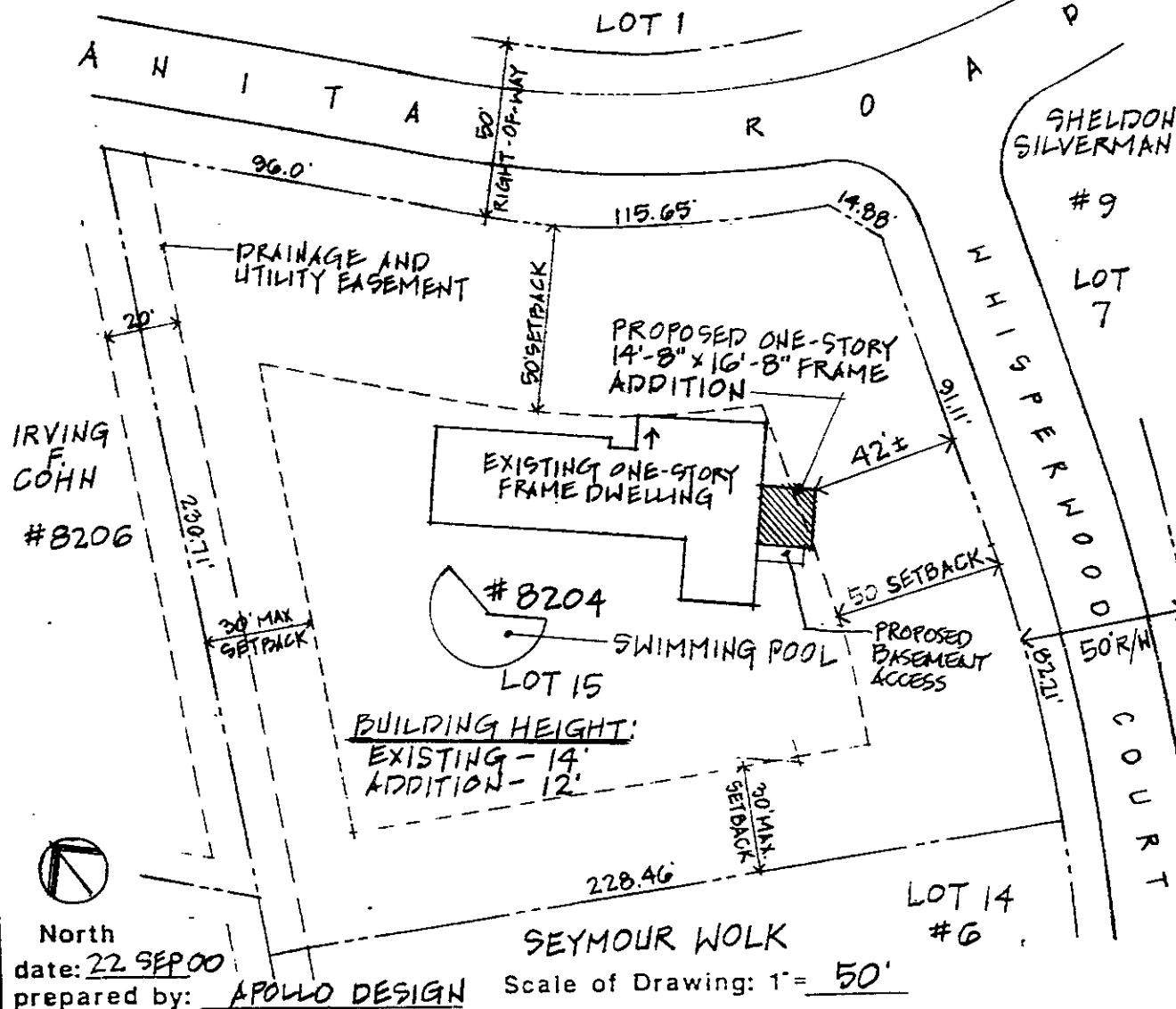
SEWER: ☒ PUBLIC ☐ PRIVATE
 WATER: ☒ ☐

Chesapeake Bay Critical Area: ☐ YES ☒ NO

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

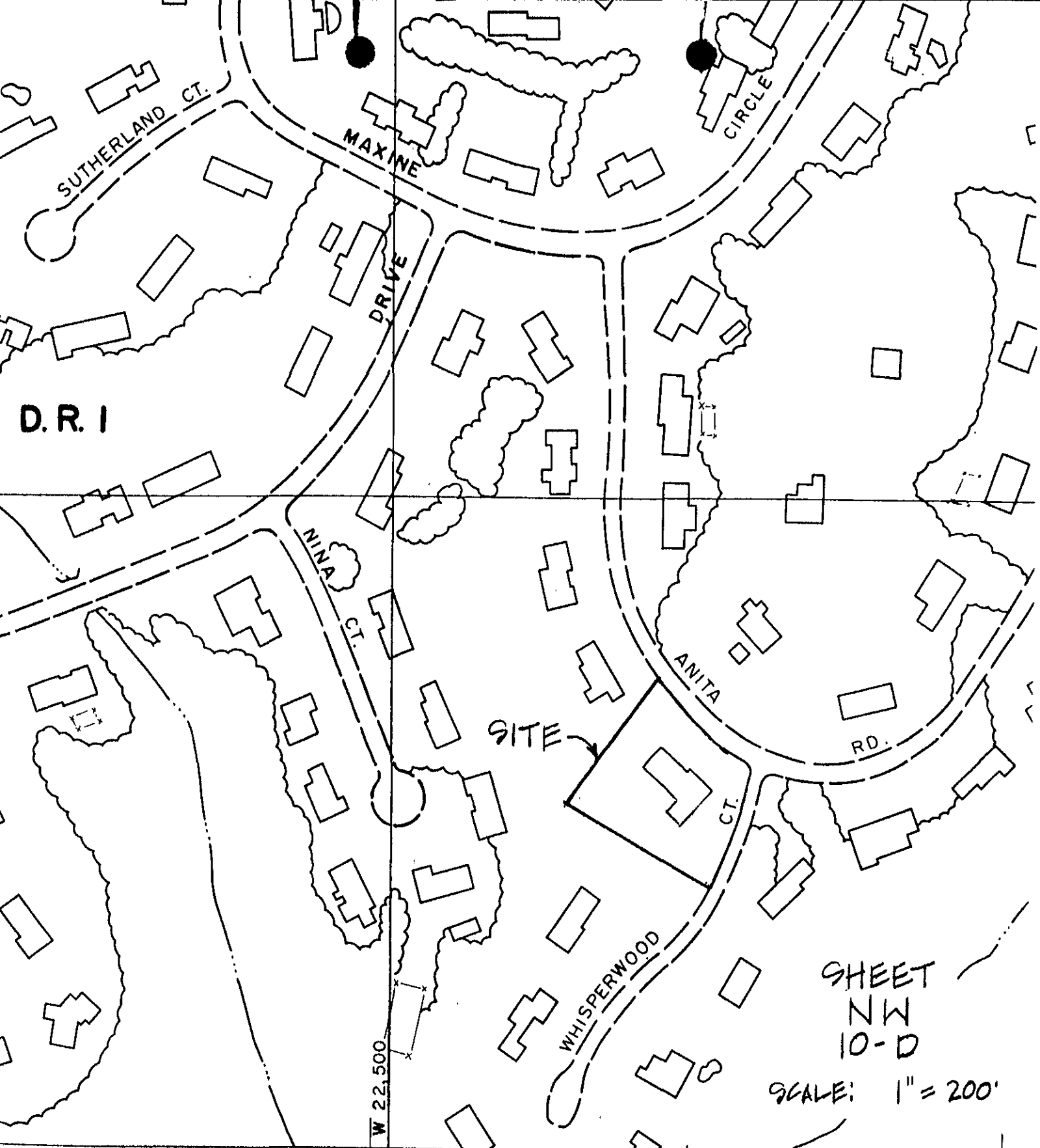
reviewed by: CTM ITEM #: 144 CASE #: 01-144A



North
 date: 22 SEP 00
 prepared by: APOLLO DESIGN

SEYMOUR WOLK
 Scale of Drawing: 1"= 50'

01-144-A



1996 COMPREHENSIVE ZONING MAP
ADOPTED by
THE BALTIMORE COUNTY COUNCIL
OCTOBER 8, 1996

ROSEN HOUSE
8204 ANITA ROAD

01-144-A

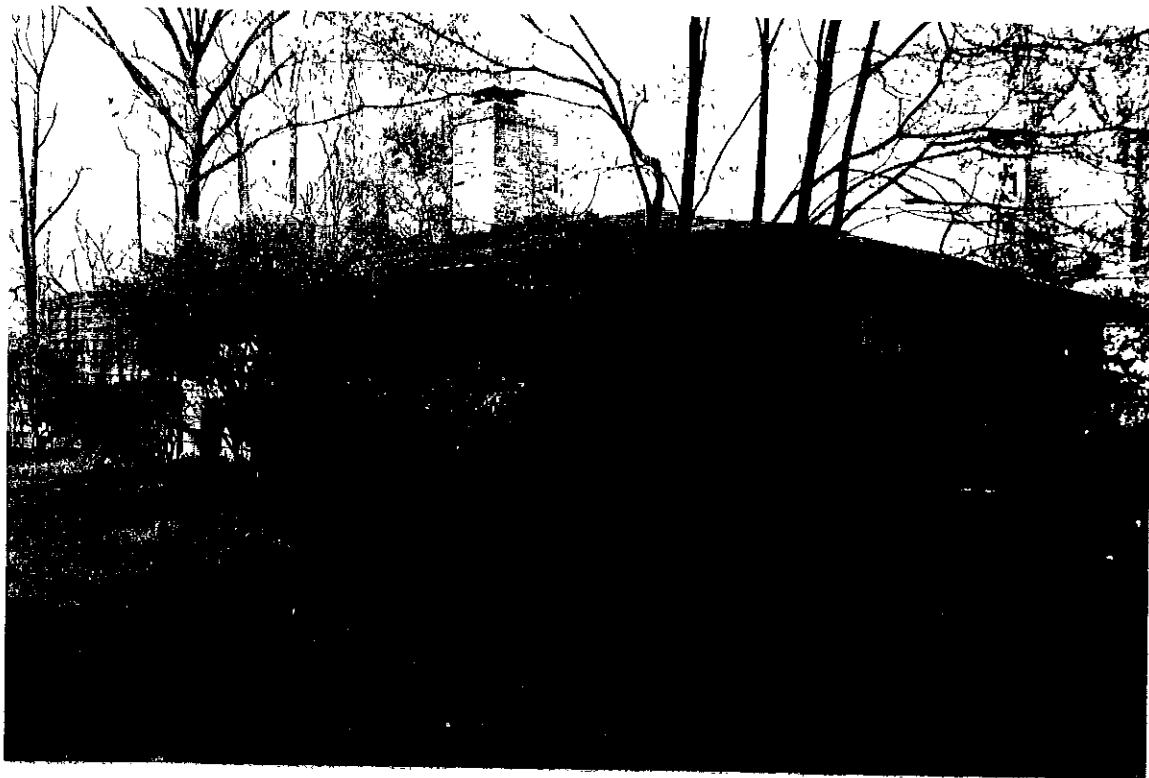
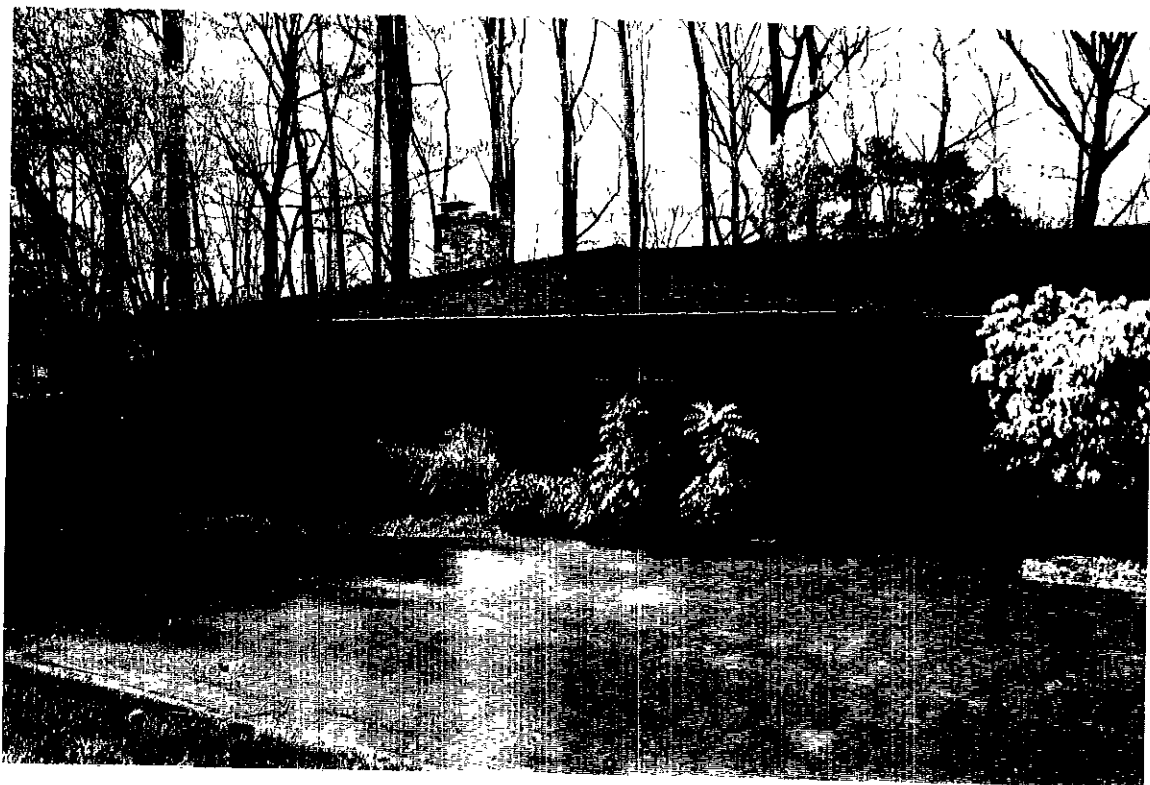
#144



01-144-A



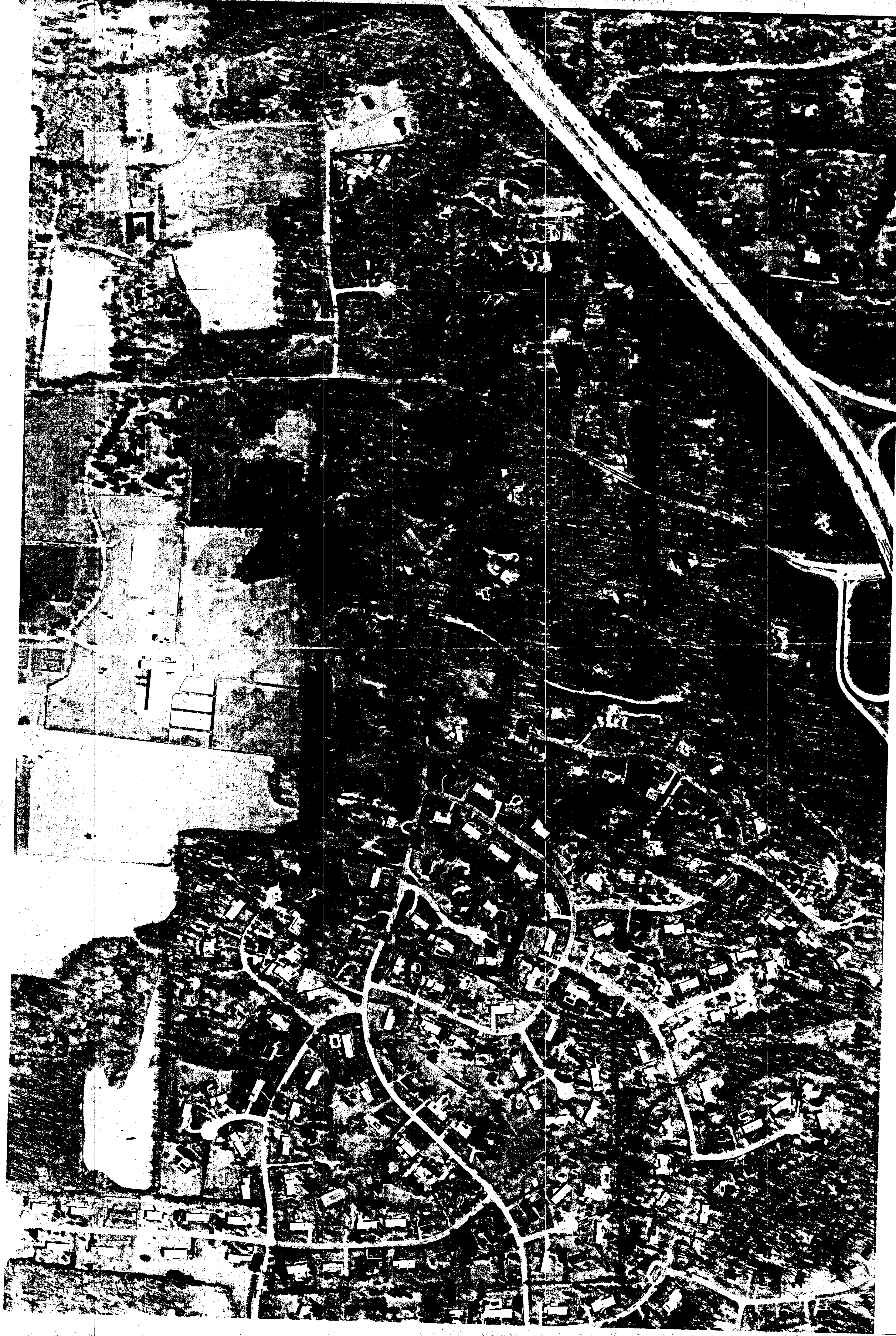
01-144-A



01-144-A



01-144-A



#144 BALTIMORE COUNTY
01-144-A OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY

LOCATION
ROCKLAND

SHEET
N.W.
10-D

MICROFILMED